
JUDICIAL EDUCATION COMMITTEE

December 14, 2001

Indiana Judicial Center

Hyatt Regency/National City Center Building

1. **Committee members present.**

Bruce Embrey, chair; Ted Boehm; Chris Burnham; Barbara Collins; Bob Freese; Bill Hughes; Doug Morton; Earl Penrod; Patricia Riley; Ted Todd; Nancy Vaidik; Jim Williams; and Mike Witte.

2. **Staff present.**

Jane Seigel, Cathy Springer, and Vicki Davis attended the meeting.

3. **Minutes.**

The minutes from the October meeting were adopted as submitted.

4. **Subcommittee Reports.**

- a. Technology Subcommittee: Chris Burnham reported the subcommittee has 3 goals: to act as a liaison with JTAC, to assist the Education Committee prepare judicial officers to effectively use new technology, and to collect/develop innovative distance learning technology to augment existing educational programs.
- b. Judicial College Subcommittee: Earl Penrod reported the subcommittee is working on a proposal for post judicial college recognition – currently termed a Master’s Certificate for want of a better term. A draft of the program should be ready for full committee review at the February Retreat. To obtain post judicial college recognition, a judicial officer would have to sign up for the program and satisfy several prerequisites including: graduate of the Indiana Judicial College, current participant or graduate of the Indiana Graduate Program for Judges, accumulated a specified number of hours of “master’s” course work, and have submitted some type of writing for review by the subcommittee. This program will entail designating courses as “master certificate” courses as well as the developing master’s level courses for the experienced judicial officer. Judge Penrod noted the subcommittee was of the opinion that retro-active credit should not be given for this new program to judicial college graduates seeking to apply any excess judicial college credits earned over and above the 120 hours to the master’s program.
- c. Orientation Subcommittee: Mike Witte reported that 145 judges have terms which will expire 12/31/02 and this number does not include any who are planning on retiring early. For the first meeting, the subcommittee concentrated on the curriculum for the 2 day pre-bench program scheduled for Wednesday/Thursday, December 11-12, 2002. The subcommittee made the following recommendations: the bench skills program from the January General Orientation program should be included in the pre-bench program, allot more time to the employment/personnel session and enhance/improve the presentation on salary/benefits since the financial impact of changing careers is of great concern to the new judicial officer. One way of improving the portion of the presentation on benefits (pensions) would be to include the authors of the IJA benefits book. Nancy Vaidik suggested Jonathan Webster or Mike Eldred. The subcommittee will continue its work at the February Retreat. Judge Hughes asked the subcommittee to consider the possibility of moving the general orientation program to the first week of January.
- d. Faculty Development Subcommittee: Bill Hughes reported the subcommittee plans to: develop a faculty handbook (similar to what ICLEF distributes to faculty) that can be distributed to assist faculty in preparing their course/session; develop a faculty advisor program to assist the Center in organizing and monitoring programs; develop an in-house faculty development team to

teach faculty development courses (hopefully by Spring 2003 program); explore, develop and define qualifications for Indiana judicial faculty; develop session/course evaluation team members who will attend sessions and offer constructive feedback and suggestions to our Indiana judicial officer faculty.

5. **Report on the Domestic Relations Conference and the Winter Program.**

Staff distributed copies of the evaluation tallies from the Domestic Relations Conference and Winter Program. Committee members suggested that the difference between the evaluations could be attributed to a number of items including the fact the Domestic Relations program had a limited attendance of 32 participants, the conferees self-selected into the domestic relations conference because of an interest in the program, and the pro se topic is not popular to begin with and judicial officers are dealing with it grudgingly. For the Winter program, staff noted the number who pre-registered, the actual number who attended (no shows), the number of walk-ins and the drop-off in numbers in the afternoon sessions. A suggestion was made to consider holding the conference on a weekday other than Friday. Staff noted the possibility of starting earlier and adjourning by 3:30.

6. **Overview of Curriculum.** Staff distributed a 2001 Curriculum Grid showing a break-down of 2001 courses and sessions into the 5 categories of: legal ability, judicial skills, personal growth and development, contemporary/interdisciplinary issues and judicial authenticity. A quick review suggested the educational programs offered fulfilled the committee's curriculum policy. Staff will submit a breakdown of the hours by the February retreat to see if the curriculum percentages have been satisfied as well.

7. **Spring 2002 Program.** Staff distributed the proposal for the Spring Judicial College. All programs will be individual courses and attendance limited to 30-50 participants. Two courses have already been scheduled for Wednesday, April 17. The other suggested programs may be offered on different days depending upon faculty availability. Staff was asked to see if another room could be found for a faculty evaluation program. Staff was given the names of possible speakers to teach the Myers-Briggs program.

8. **September 2002.**

Staff distributed a list of potential sessions for the 2002 September Annual Meeting.

Much of the discussion centered on what should be done during the program if the state funding for trial courts is passed by the General Assembly and signed by the Governor. Assuming it passes, an update session (about 1 ½ hour in length) could be put together for September with the more in-depth education offered later either at regional programs and/or the Winter Program. The committee decided the September program would have to be flexible depending upon what happens in the General Assembly.

The committee decided the Annual Meeting would be a good time to focus on technology. Staff suggested the possibility of a technology fair and working with the JTAC Committee.

A number of suggestions were made for other sessions including: court rules update covering the new jury reform rules among others; protective order legislation; landlord and tenant law; discovery issues; a probate/guardianship topic; mental health topic (recognition of mentally ill defendant/party); and new programs at the Department of Correction (crisis intervention with police department in Fort Wayne).

The committee liked the idea of including a session on state constitutional law and concluded a Supreme Court Justice should serve as faculty; Justice Boehm agreed to teach the session. A suggestion was made to use Tony Metz, Jim Coachys, or one of the Northern District bankruptcy judges for the session on a new bankruptcy code. Mike Witte offered to do the session on commercial driver's license law since the faculty team is already in place and the materials prepared.

9. **Winter Program.**

The committee briefly discussed the program for Winter 2002. It will be a one day program focusing on a specific topic, trial court funding issues.

10. **Retreat**. The committee has a one day retreat scheduled for **Friday, February 8th**. The subcommittees will meet for one hour in the morning (10:00-11:00 a.m.) followed by a full committee meeting to brain storm curriculum ideas. Judge Embrey announced there will be time set aside for subcommittee reports to the full committee.

11. **Attendance at Conferences by Senior Judges**. Staff announced the issue of senior judge attendance at conferences has been raised once again. A letter from Judge Robertson was distributed at the Board of Directors meeting on Thursday, December 6th asking that the policy on attendance be reconsidered. Chief Justice Shepard asked the Committee to study senior judges and find out if all are doing equal amounts of work; he also suggested priority of attendance could be based on the level of work. Judge Embrey stated he has started the process to study the amount/level of work by the various senior judges. The committee reaffirmed its position that the current attendance policy is reasonable under the circumstances and discussed: the need to better explain the policy to senior judges as well as the possibility of giving preference to those senior judges who meet and/or exceed their days of service. The committee decided to retain the attendance policy (senior judges will be invited if space allows - except September, where by statute, all senior judges are invited to attend the Judicial Conference) and give priority to those senior judges who meet or exceed their days of service.

12. **Adjournment**. There being no further business, the meeting adjourned at 3:00 p.m.

Respectfully submitted,

Vicki Davis
Assistant Education Director

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